

THE HONORABLE MARSHA J. PECHMAN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

THE POKÉMON COMPANY
INTERNATIONAL, INC., a Delaware
corporation,

Plaintiff,

v.

BRYAN GARCIA CRUZ, an individual,
and DAVID ANDINO MAISONAVE, an
individual,

Defendants.

No. 19-cv-1911MJP

PLAINTIFF'S MOTION TO EXTEND
DEADLINE TO REOPEN CASE OR IN
THE ALTERNATIVE TO REOPEN

NOTE ON MOTION CALENDAR:
June 11, 2021

Plaintiff The Pokémon Company International, Inc. ("TPCi") moves to extend the deadline to reopen the above-captioned case by twenty one days, or in the alternative to reopen the case, to allow additional time for the parties to execute the settlement documents, which include a stipulated injunction and stipulated judgment, and fulfill an initial term of the settlement, and submit the stipulated injunction and stipulated judgment to the Court.

On May 3, 2021, the TPCi and Defendant David Andino Maisonave notified the Court that they had reached a settlement in this matter. Dkt. No. 44. The following day, TPCi and Defendant Brian Garcia Cruz notified the Court that they too had reached a settlement in principle. Dkt. No. 45. The Court then dismissed this action with prejudice, but provided that

1 “[i]n the event that settlement is not perfected, any party may move to reopen the case, provided
2 that such motion is filed within” thirty days of this order. Dkt. No. 47.

3 As indicated in the Notice of Settlement, the parties have reached a settlement as to all
4 terms. Since that time, the parties have also agreed to the language in the settlement documents,
5 which will include a stipulated judgment, stipulated injunction and a dismissal, with prejudice.
6 Declaration of Jacob P. Dini (“Dini Decl.”) ¶ 2. Defendants are pro se, and the parties require
7 additional time to execute the respective settlement documents and fulfill an initial term of the
8 settlement. *Id.* Because this motion is being made within thirty days of the Court’s May 7, 2021
9 order (Dkt. No. 47), TPCi therefore requests that the Court extend the deadline to reopen the case
10 by twenty one days, or in the alternative reopen the case, to allow the parties time to execute the
11 settlement documents and submit the permanent injunction and stipulated judgment to the Court.

12
13 DATED: June 3, 2021

14
15 By: s/Jacob P. Dini

16 Lauren W. Staniar, WSBA No. 48741

17 Jacob P. Dini, WSBA No. 54115

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25 *Attorneys for Plaintiff, The Pokémon*
26 *Company International, Inc.*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that they served a copy of the foregoing Motion to Extend Deadline to Reopen Case or in the Alternative to Reopen, Declaration of Jacob P. Dini in support of Motion to Extend Deadline to Reopen Case or in the Alternative to Reopen and Proposed Order to the following via U.S. Mail, postage prepaid, before the hour of 5:00 pm, on June 3, 2021:

Bryan Garcia Cruz
5509 Legacy Crescent Pl., Unit 302
Riverview, FL 33578-2818

David Andino Maisonave
221 W Laurel Street
Willard, OH 44890-1342

s/Jenna DeRosier

Jenna DeRosier
Legal Assistant